

the production of their children." <sup>1</sup> This notion is expressed in the *Itymen-ideS*) where it is said to lessen the crime of Orestes. His mother diet, not generate Mm. She received and nursed the germ. In Islam this same opinion prevails. It is a father family doctrine, exactly opposite to that of the mother family, where the function of the mother was thought far more important.<sup>2</sup> It is a good example of the way in which the philosophy follows the view taken in the mores of the leading interest.

543. Blood revenge and the in-group. Blood revenge is out of place in the in-group. It would mean self-extermination of the group. It would serve the interests of the enemies in the out-groups. Hence the double interest of harmony and cooperation in the in-group and war strength against the out-groups forces the invention of devices by which to supersede blood revenge in the in-group. Chiefs and priests administered group interests, especially war and other collisions with neighbors, and they imposed restraints, arbitration, or compensation in internal quarrels. Cities of refuge and sanctuaries secured investigation and deliberation to prove guilt and determine compensations. The chiefs and priests thus modified or set aside kin law by inchoate civil forms. Then criminal law and penalty took the place of retaliation. Between groups blood revenge was only a detail of the normal relations of hostility and violence. Out-groups, however, sometimes made agreements with each other to limit blood revenge and vendetta. White men have had trouble with red men and black men because their customs as to relationship were not on the same level. The whites in New York and Pennsylvania colonies could not understand why the Indians were indifferent to their demands for the surrender of an Indian who, in time of peace, had killed a white man.

According to Indian ideas the bloodshedding did not concern the civil body (tribe), but the kin group (clan).<sup>3</sup> A wife was not included in blood revenge. Her relation to her husband was not one of "blood." It was institutional. Therefore it was not so strong as the tie of sister to brother by the same mother.

544. Institutional ties replace the blood tie. In the history of civilization several institutional ties have become stronger than

<sup>1</sup> Lecky, *Bur. Morals* II, 280.      <sup>2</sup> Wilutzky, *Mann und Weib*, 121.

<sup>8</sup> *Smithson. Rep* 1893, 595-